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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,131	11/07/2005	Hans-Jurgen Wehner	GOTZF 146 US	4967
2555 7590 02/12/2009 KREMBLAS, FOSTER, PHILLIPS & POLLOCK 7632 SLATE RIDGE BOULEVARD REYNOLDSBURG, OH 43068			EXAMINER KIM, JOHN K	
			ART UNIT 2834	PAPER NUMBER
			NOTIFICATION DATE 02/12/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### ***Response to Arguments***

Applicant's arguments filed 1/23/2009 have been fully considered but they are not persuasive.

#### **1. *Preliminary Observation I***

*In the last office action, paragraph numbered 5, the examiner referred to claim 1 as "sole independent claim." However, claim 15 is also independent.*

The applicant or the representative is misinterpreting the examiner's remark. Said 'sole independent claim' is response to argument regarding to the prior rejection. In prior application, there's claim 1 which is sole independent claim among claims 1-14. Claim 15 has been added as a new in the amendment.

#### **2. *Why the finality should be withdrawn***

*1. MPEP 707.07(f) is entitled "Answer All Material Traversed" That section includes the statement "Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." The last office action did neither. The last office action did not take note of any argument made by applicant. The last office action did not answer the substance of the principal arguments made by applicant.*

The applicant amended claims including claim 1, a sole independent claim. Therefore, argument to rejection is moot. However, the examiner volunteered to

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respond the arguments for favor to the applicant. Response to argument 2 is the same as above.

### **3. Argument 3.**

*In applicant's last response, applicant pointed out that another important distinction from the prior art is that, in applicant's invention, the coolant flow passages are in a single, unitary housing jacket 1. Applicant is unable to see anywhere in the final action that the examiner discussed that observation by applicant. Independent claim 15 recites that the cooling channels are within the integral housing. It does not say that just some channels are within the integral housing. It is obvious from the Katsuzawa drawings and applicant's drawings that both housings have three components. The difference is that all the channels in applicant's invention are in one "integral casting". As pointed out in applicant's last response, the cooling channel in the Katsuzawa reference are in three references.*

For claim 15, Katsuzawa shows and discloses the housing and cooling channel is made by casting and it is integrated as remarked in the office action. The examiner is simply not easy to understand the argument.

### **4. Argument 4.**

*"However, for the rejections of claims 1 and 15, there is no finding that coating the interior passages of a coolable housing jacket for an electric motor is known in the*

*prior art. There is no finding that corrosion was a problem with the interior passages of a coolable housing jacket for an electric motor”.*

The applicant correctly pointed out that Katsuzawa was silent to teach a cathodic dip-varnishing process. However, the examiner wishes to be patient to pay attention to the prior art of Rentschler that the examiner carefully selected from many related prior arts found from the intensive search. In the same field of endeavor, Rentschler teaches (col. 3, line 23-25) a coating of a cathodic dip-varnishing process. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a coating of the jacket inner faces including the channel internal walls via a cathodic dip-varnishing process by combining the teaching of Rentschler with that of Katsuzawa for anti-corrosion. (col. 2, line 8) It is regrettable that the examiner failed to find a single prior art teaching the same claimed invention and therefore, secondary reference has been introduced to combine. However, the examiner believes those ordinary skilled in the art would have been able to combine for the coating, and that actually happens in industry.

5. Therefore, the applicant's argument is not persuasive, and the examiner maintained rejection.

6. The examiner believes response to all arguments has been remarked above. However, if any questions or issues arise, please do not hesitate to submit to the office.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN K. KIM whose telephone number is (571)270-5072. The fax phone number for the examiner where this application or proceeding is assigned is 571-270-6072. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Quyen Leung can be reached on 571-272-8188.

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/Quyen P Leung/  
Supervisory Patent Examiner, Art Unit 2834

JK